

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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INA STEINER, DAVID STEINER, and  
STEINER ASSOCIATES, LLC,

Plaintiffs,

Civil Action No. 21-CV-11181-PBS

v.

EBAY INC., et al.,

Defendants.

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DECLARATION OF LAWRENCE D. LISSAUER, ESQ.  
IN SUPPORT OF INA STEINER, DAVID STEINER AND STEINER ASSOCIATES,  
LLC TO FILE CERTAIN DOCUMENTS IN SUPPORT OF ITS MOTION TO SEAL  
DOCUMENTS PREVIOUSLY FILED ON BEHALF OF THE PLAINTIFF.

I, Lawrence D. Lissauer, hereby depose and say as follows:

1. I submit this declaration in support of the within motion of Plaintiffs Ina Steiner, David Steiner, and Steiner Associates, LLC ("Steiner") for leave to file under seal, certain exhibits (including deposition transcripts) and portions of its opposition as set forth below.

2. I am one of the attorneys of record for the plaintiffs ("Steiner") in the above-captioned matter. Unless otherwise noted, the statements set forth herein are based on my own personal knowledge. They are also true to the best of my knowledge, information, and belief as of the date I signed this declaration.

a. Under the terms of the Protective Order, parties may not publicly disclose material designated "Highly Confidential" by another party "[u]nless otherwise ordered by the Court or permitted in writing by the Designating Party." Dkt. 515 Par. 8.3.

3. The Plaintiffs seek to file under seal, transcript and other data that may be deemed "confidential". The Plaintiffs are also relying on said documents in Docket Entries "522-523" inclusive.

a. Under the terms of the Protective Order, "a Party will have until thirty (30) days after receipt of the deposition transcript to inform the other Party or Parties to the action of the portions of the transcript to be designated 'CONFIDENTIAL' or 'HIGHLY CONFIDENTIAL - ATTORNEYS ' EYES ONLY.'” Dkt. 515 Par. 5.2(c). The Plaintiff’s opposition was filed timely in accordance with the 30 day window set forth by this Court.

b. Under the terms of the Protective Order, parties may not publicly disclose material designated "Highly Confidential" by another party "[u]nless otherwise ordered by the Court or permitted in writing by the Designating Party." Dkt. 515 Par. 8.3. The Court has not ordered public disclosure of the referred to documents.

c. Specifically, the Plaintiffs seek to file under seal information and documents that fall into one or more of the following three categories: (a) Board Minutes; (b) Personnel Files; (c); Materials designated confidential by other parties. See the June 14, 2024 Amended Protective Order (Dkt. 407) (“Protective Order”), of this Court. The Plaintiffs seek to file under seal are customarily kept confidential. Furthermore, sealing is appropriate for the same reasons set forth in prior motions submitted to this Court.

d. The Plaintiffs take no position on whether a confidentiality ruling is appropriate, but seek leave to file the transcripts, opposition and other matters set forth below under seal to comply with the terms of the Protective Order.

4. I have given notice to my adversaries concerning this application. A similar application was made today under ECF documents 563 and 564.

5. Per my office’s conversation with this Court, the documents that are subject to this application are Docket entries 522-532 inclusive which are:

Docket 522 - MEMORANDUM in Opposition re [486](#) MOTION for Partial Summary Judgment *Plaintiffs' Memorandum of Law in Opposition to eBay's Motion for Partial Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 523 - Statement of Material Facts L.R. 56.1 re [486](#) MOTION for Partial Summary Judgment *Plaintiff's Response to Deft eBay Statement of Proposed Undisputed Facts* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 524 - MEMORANDUM in Opposition re [490](#) MOTION for Summary Judgment *Plaintiffs' Memorandum of Law in Opposition to the Motion of F.O.R.C.E. Concepts PFC for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 525 - Statement of Material Facts L.R. 56.1 re [490](#) MOTION for Summary Judgment *Plaintiffs' Response to Deft Progressive F.O.R..CE. Concepts, LLC's Statement of Undisputed Material Facts in Support of Motion for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 526 - MEMORANDUM in Opposition re [491](#) MOTION for Summary Judgment *Plaintiffs' Memorandum of Law in Opposition to Wenig's Motion for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 527 - Plaintiffs' RESPONSE to Statement of Material Facts L.R. 56.1 re [491](#) MOTION for Summary Judgment *Plaintiffs' Response to Defendant Wenig's Statement of Material Facts as to Which There are no Dispute* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 528 - MEMORANDUM in Opposition re [484](#) MOTION for Summary Judgment *Plaintiffs' Memorandum of Law in Opposition to Wymer's Motion for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 529 - Statement of Material Facts L.R. 56.1 re [484](#) MOTION for Summary Judgment *Defendant Steve Wymer's Statement of Undisputed Material Facts in Support of his Motion for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 530 - MEMORANDUM in Opposition re [493](#) MOTION for Summary Judgment *Plaintiffs' Memorandum of Law in Opposition to Motion for Summary Judgment of Wendy Jones* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 531 - Plaintiffs' RESPONSE to Statement of Material Facts L.R. 56.1 re [493](#) MOTION for Summary Judgment *Plaintiffs' Response to Defendant Wendy Jones's Rule 56.1 Statement of Undisputed Facts in Support of her Motion for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 532 - Statement of Material Facts L.R. 56.1 re [491](#) MOTION for Summary Judgment , [493](#) MOTION for Summary Judgment , [490](#) MOTION for Summary Judgment , [486](#) MOTION for Partial Summary Judgment , [484](#) MOTION for Summary Judgment *Plaintiffs' Statement of Proposed Undisputed Facts in Opposition to Defendants' eBay, Wymer, Wenig, PFC, and Jones Motions for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

I declare under the penalties of perjury, that the foregoing is true and correct to the best of my knowledge, upon information, and belief.

Executed , February 13, 2025, in Newburgh, New York.

/s/ Lawrence D. Lissauer

Lawrence D. Lissauer

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2025, this document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants .

Dated: February 13, 2025

/s/ Lawrence D. Lissauer

Lawrence D. Lissauer

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